IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 25TH OCTOBER 2007 / 3RD KARTHIKA 1929

WP(C).No. 23526 of 2007(A)

PETITIONER:

R.MANIRAJ, S/O. RAGHAVAN,
CHARUVILA PUTHENVEEDU, KODINHAM, KUTTIKKAD P.O.,
KADAKKAL, KOLLAM.

BY ADV. SRI.G.SANTHOSH KUMAR (P).
SMT.K.K.THULACY BHAI

RESPONDENTS:
----

1. STATE OF KERALA, REPRESENTED BY
ITS SECRETARY TO GOVERNMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. REGIONAL TRANSPORT OFFICER,
KOTTARAKKARA.

3. DEPUTY COMMISSIONER OF EXCISE,
NORTHERN ZONE, KOZHIKODE.

4. ASSISTANT EXCISE COMMISSIONER,
KASARAGOD.

BY GOVERNMENT PLEADER SRI. BENJAMIN PAUL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25/10/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 23526/2007 A

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE CIRCULAR DT. 21/6/04 BY THE EXCISE COMMISSIONER, THIRUVANANTHAPURAM.

EXT.P2. COPY OF THE SALE CONFIRMATION LETTER DT. 30/09/2005 BY THE R3.

EXT.P3. COPY OF THE ORDER BY THE R4 DT. 24/10/2005.

EXT.P4. COPY OF THE LETTER DT. 7/5/07 BY THE R4 TO THE R2.

RESPONDENT'S EXHIBITS **NIL.**

True copy

tga

ANTONY DOMINIC, J.

= = = = = = = = = = = = = = =
W.P.(C) No. 23526 OF 2007 A
= = = = = = = = = = = = = = =

Dated this the 25th October, 2007

J U D G M E N T

Petitioner is an auction purchaser of a vehicle from the office of the Assistant Excise Commissioner, Kasaragod and Ext.P3 is the order dated 24-10-2005 releasing the car, the details of which is mentioned therein. The present complaint of the petitioner is that though he had applied to the 2nd respondent for transfer of ownership, that has not been considered till date. It is in this background the writ petition has been filed.

2. Now that the petitioner has been issued Ext. P3 order of the Assistant Excise Commissioner releasing the vehicle on confirmation of the auction in his favour and as the petitioner has submitted an application, producing the documents in support of his claim, there should be no reason why the transfer of ownership is delayed.

3. In view of this, I dispose of this writ

petition directing that the 2nd respondent shall consider the application made by the petitioner in the light of Ext. P3 release order in his favour and pass appropriate orders for the transfer of ownership of the vehicle. This the 2nd respondent shall do within one month from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment before the 2nd respondent for compliance.

ANTONY DOMINIC
JUDGE

jan/-